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STATE OF WISCONSIN

BEFORE THE PROFESSIONAL COUNSELOR SECTION OF THE EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF

DISCIPLINARY PROCEDINGS AGAINST:

CARY A. BACKENGER, ORDER TERMINATING

SUSPENSION AND

RESPONDENT IMPOSING LIMITATIONS

LS9910191PSY

Cary A. Backenger

1724 S. Memorial Dr.

Appleton, WI 54915

On October 19, 1999, the Professional Counselors Section issued a Final Decision and Order suspending for a period of at least one year the certificate issued to the respondent, Cary A. Backenger, to use the title Certified Professional Counselor in her practice. Ms. Backenger was permitted to petition the section for a termination of the suspension after one year upon certain conditions, including an assessment by a mental health provider. The order contained a provision that the section could terminate the suspension but continue to limit Ms. Backenger's certificate to address any recommendations resulting from the assessment.

The section received a report by Dr. John Gonsiorek of an assessment of Ms. Backenger. Ms. Backenger complied with the conditions during her period of suspension and appeared before the section on September 7, 2000 to support her petition and answer questions. The section determined that the suspension could be terminated but that certain conditions and limitations should be placed on Ms. Backenger's practice for a period of two additional years to protect the health, safety and welfare of the public. Therefore,

IT IS ORDERED that the suspension of the professional counselor certificate granted to Carey A. Backenger is terminated, effective October 19, 2000.

IT IS FURTHER ORDERED that Carey A. Backenger may use the title "certified professional counselor" in her practice only under the following conditions:

- 1. Ms. Backenger shall limit her practice to females, except that she may provide services to males in the context of family therapy and incidental to services provided to female family members.
- 2. Ms. Backenger shall arrange for an employment supervisor to prepare reports on a quarterly basis (approximately January 19th, April 19th, July 19th, and October 19th of each year), confirming her compliance with limitation #1 above and reporting any concerns regarding her professional performance. The reports should be sent to the Departmental Monitor, Department of Regulation and Licensing, P.O. Box 8935, Madison, WI 53708.

The conditions in paragraphs 1 and 2 shall continue for a period of two years. The conditions shall terminate and be removed from Ms. Backenger's certificate automatically on October 19, 2002, unless prior to that date, the section files a notice of intent to continue the conditions, or a notice of additional disciplinary action against Ms. Backenger.

- 3. Ms. Backenger shall complete 12 hours of continuing education dealing with boundary issues and associated ethical issues prior to October 19, 2002.
- 4. Ms. Backenger shall continue in psychotherapy with Michael Mussen, Ed.D., or another mental health professional, to address issues discussed in Dr. Mussen's letter to the Department Monitor dated August 23, 2000. Psychotherapy sessions shall be scheduled, and psychotherapy may terminate, as determined by Dr. Mussen or his successor. A copy of the discharge summary shall be provided to the section.

Should the section find probable cause to believe that Ms. Backenger has violated any of the terms of this order, the section may order that Ms. Backenger's certificate be summarily suspended pending investigation of, and a hearing on, the alleged violation. Violation of any of the above conditions may constitute grounds for revocation of Ms. Backenger's certificate.

Dated October 9th, 2000.

Colleen James

Chair, Professional Counselor Section